

EDUCATION DEPARTMENT[281]

Notice of Intended Action

**Proposing rule making related to gap tuition assistance program initial assessment
and providing an opportunity for public comment**

The State Board of Education hereby proposes to amend Chapter 25, “Pathways for Academic Career and Employment Program; Gap Tuition Assistance Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 256.7(5).

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 260I.

Purpose and Summary

Items 1 and 3 of this proposed rule making modernize the citations to the Iowa Code in rule 281—25.1(260H,260I) and in the chapter’s implementation sentence, respectively. Item 2 expands the list of allowable assessments for applicants for tuition assistance under the Gap Tuition Assistance Program. All applicants must complete an initial assessment to determine the applicant’s preparedness for the eligible program. The proposed amendment adds to the list of allowable assessments to include those used by a community college to determine academic eligibility for credit programs.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the State Board for a waiver of the discretionary provisions, if any, pursuant to 281—Chapter 4.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on May 10, 2022. Comments should be directed to:

Thomas Mayes
Department of Education
Grimes State Office Building, Second Floor
400 East 14th Street
Des Moines, Iowa 50319-0146
Phone: 515.281.8661
Email: thomas.mayes@iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule 281—25.1(260H,260I) as follows:

281—25.1(260H,260I) Scope. The rules in this chapter implement the pathways for academic career and employment (PACE) program under 2014 Iowa Code Supplement chapter 260H and the gap tuition assistance program under 2014 Iowa Code Supplement chapter 260I.

ITEM 2. Amend rule 281—25.24(260I) as follows:

281—25.24(260I) Initial assessment. An eligible applicant for tuition assistance under Division III of this chapter shall complete an initial assessment administered by the community college receiving the application to determine the applicant’s readiness to complete an eligible certificate program. The assessment shall include the areas of reading and mathematics. In assessing an applicant under this division, a community college shall use the national career readiness certificate, ~~or~~; an assessment eligible under the Adult Education and Family Literacy Act, 20 U.S.C. Ch. 73, and approved by the department for use in an adult education and literacy program; or an established process utilizing valid measures for determining preparedness for the eligible certificate program, which may include processes for measuring academic preparedness used by the community college for placement of students into credit coursework. An applicant shall complete any additional assessments and occupation research required by the gap tuition assistance program or an eligible certificate program, or both.

ITEM 3. Amend **281—Chapter 25**, implementation sentence, as follows:

These rules are intended to implement 2014 Iowa Code chapters 260H and 260I.